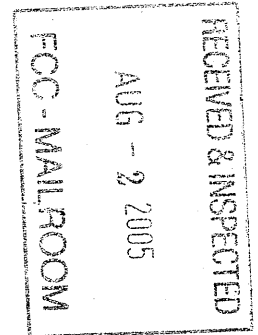


**FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D. C. 20554**

**IN REPLY REFER TO:  
1800B3-ALM**

August 3, 2005

John Crigler, Esquire  
Garvey Shubert Barer  
Flour Mill Building  
1000 Potomac Street, N.W.  
Fifth Floor  
Washington, D. C. 20007-3508



**In re: KTCB(FM), Tillamook, OR**  
Tillicum Foundation  
Facility ID No. 93286

Request For Waiver of The  
Commission's Main Studio  
Rule (Section 73.1125)

Dear Mr. Crigler:

The staff has under consideration the April 20, 2005, request for a waiver of the Commission's main studio requirement, *see* 47 C.F.R. Section 73.1125, submitted by the Tillicum Foundation ("the Foundation"). The Foundation wants to operate noncommercial educational ("NCE") radio station KTCB(FM), Tillamook, Oregon, as satellite station of its NCE station, KMUN(FM), Astoria Oregon.<sup>1</sup> For the reasons set forth below, we shall grant the Foundation's request for a waiver.

Pursuant to section 73.1125(a), a main studio must be located either (1) within a station's principal community contour, (2) within the contour of any other broadcast station licensed to its community, or (3) within 25 miles of the center of its community.<sup>2</sup> However, under Section 73.1125(b)(2), the Commission will waive these requirements where "good cause" exists to do so and where the proposed studio location "would be

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<sup>1</sup> A "satellite" station meets all of the Commission's technical rules, however, it originates no programming and instead rebroadcasts the parent station's programming. *See Amendment of Multiple Ownership Rules, Memorandum Opinion and Order*, 3 RR2d 1554, 1562 (1964).

<sup>2</sup> *See Report and Order, Review of the Commission's Rules regarding the main studio and local public inspection files of broadcast television and radio stations*, 13 FCC Rcd 15,691 (1998); *recon. granted in part*, 14 FCC Rcd 11113 (1999) ("Reconsideration Order").

consistent with the operation of the station in the public interest." Each waiver request by an NCE station seeking to operate as the satellite of another NCE station is considered on a case-by-case basis. The Commission has recognized the benefits of centralized operations for NCE stations, given their limited funding, and thus found "good cause" exists to waive the main studio location requirement where satellite operations are proposed.<sup>3</sup> A satellite station must, however, demonstrate that it will meet its local service obligation to satisfy the Section 73.1125 "public interest" standard.<sup>4</sup>

The Foundation's request is based on the economies of scale that would be realized by grant of its waiver. We agree and conclude that there is "good cause" to waive 47 C.F.R. Section 73.1125(a) in these circumstances.

The Foundation proposes to operate KTCB(FM), Tillamook, Oregon, as a satellite of KMUN(FM), Astoria, Oregon, approximately 80 miles from Tillamook. Where there is a great distance between the parent and satellite stations, as here, we are particularly concerned that the licensee takes adequate measures to maintain its awareness of the satellite community's needs and interests. To that end, the Foundation has pledged to: (1) ascertain the needs of Tillamook, by interviewing residents and community leaders, and provide issue-responsive programs each quarter; (2) include representatives of Tillamook on the Foundation's Community Advisory Board which advises the Foundation on the programming needs of the communities it serves; (3) cover news stories related to events in Tillamook; and (4) maintain a toll free telephone number between Tillamook and the KMUN(FM) main studio.

In these circumstances, we are persuaded that the Foundation will meet its local service obligations and thus, that grant of the requested waiver is consistent with the public interest. We remind the Foundation, however, of the requirement that it maintain a public file for KTCB(FM), at the main studio of the "parent" station, KMUN(FM), Astoria, Oregon. It must also make reasonable accommodation for listeners wishing to examine the file's contents.<sup>5</sup> We further remind the Foundation that, notwithstanding the grant of the waiver requested here, the public file for KTCB(FM) must contain the quarterly issues and programs list for Tillamook, Oregon, as required by 47 C.F.R. Section 73.3527(e)(8).

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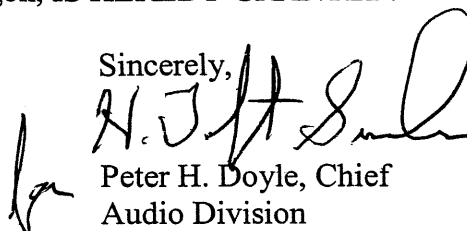
<sup>3</sup>*Id.*

<sup>4</sup>*Id.*

<sup>5</sup>*See Reconsideration Order*, 14 FCC Rcd 11113, 11129 at ¶45.

Accordingly, the request for a waiver of Section 73.1125 filed by the Tillicum Foundation for KTCB(FM), Tillamook, Oregon, IS HEREBY GRANTED.

Sincerely,

  
Peter H. Doyle, Chief  
Audio Division  
Media Bureau